PROCEEDINGS OF THE COMMON COUNCIL
IN Regular SESSION
August , 14 , 19 73

CITY OF FORT WAYNE, INDIANA
Journal of the Proceedings
of the Common Council

The Common Council of the City of Fort Wayne met in the Council Chambers Tuesday evening August 14 A.D., 19 73 in Regular Session. President Winfield C. Moses, Jr. in the chair, and Charles W. Westerman Clerk, at the desk, present the follwoing members viz:

Burns ✓, Hinga ✓, Kraus ✓, Nuckols A

Moses ✓, Donald Schmidt A Vivian Schmidt ✓ Stier ✓

Talarico ✓ Absent 2, Councilman Donald Schmidt, Nuckols

The invocation was given by Reverend Harry Dias - South Wayne Baptist Church

Received report from the City Controller for the month of 19 .

Motion made and carried that report be made a matter of record and placed on file.

The minutes of the last regular July 24, 1973 & July 31, 1973, 19 Session having been delivered to the Council, were, on motion, approved as published.

MADE A MATTER OF RECORD
DATE 8/14/73
CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE
office of the mayor

COMMUNICATION FROM THE MAYOR

July 25, 1973
To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, July 25, 1973, I have approved the following ordinances passed by the Common Council at its regular meeting on July 24, 1973.

(Bill No. A-73-07-06)
APPROPRIATION ORDINANCE NO. A-13-73

AN ORDINANCE appropriating funds from unexpended and unappropriated balance of the Aviation Fund to various accounts in Aviation Budget.

(Bill No. A-73-07-07)
APPROPRIATION ORDINANCE NO. A-14-73

AN ORDINANCE appropriating funds from the unexpended balance of Account No. 71-111 (Police Salaries) to Account No. 70-112 (Emergency Medical Services Salary Account).

(Bill No. A-73-07-08)
APPROPRIATION ORDINANCE NO. A-15-73

AN ORDINANCE appropriating funds from the unexpended and unappropriated balance of the General Fund to various accounts in the Board of Safety.

(Bill No. S-73-07-01)
SPECIAL ORDINANCE NO. S-81-73

AN ORDINANCE approving a certain bid document with GENERAL TRUCK SALES for one (1) ½ ton cab and chassis.

(Bill No. S-73-07-02)
SPECIAL ORDINANCE NO. S-82-73

AN ORDINANCE approving a certain bid document with ERNST TRUCK EQUIPMENT for one (1) new 1973 Refuse Packer.

(Bill No. R-73-07-14)
RESOLUTION NO. R-42-73

A RESOLUTION transferring certain funds from Account No. 67-7-722 Motor Equipment in the 1973 Budget of the Building Department.

(Bill No. R-73-07-15)
RESOLUTION NO. R-43-73

A RESOLUTION transferring certain funds from Account No. 68-7-722 to various accounts in the 1973 budget of Minimum Housing.

(Bill No. R-73-07-19)
RESOLUTION NO. R-41-73

A RESOLUTION of the Common Council approving Grant Agreement with the Federal Government.

(Bill No. G-73-06-26)
GENERAL ORDINANCE NO. G-16-73

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a street, petitioned by property owners.

(Bill No. G-73-07-04)
GENERAL ORDINANCE NO. G-17-73

AN ORDINANCE approving a project of the Authority of the City of Fort Wayne to purchase single family homes from FHA for rehabilitation, rental and sale to low income families and approval of a loan of $200,000.00 to be repaid by the Housing Authority and guaranteed by the City of Fort Wayne.

(Bill No. S-73-07-05)
SPECIAL ORDINANCE NO. S-83-73

AN ORDINANCE approving Board of Public Works Resolution No. 59-294-8 for payment to Nobis-Westropp of $53,626.07, of which $16,168.53 shall be in Barrett bonds.

Respectfully yours,

Ivan A. Lebamoff
Mayor

MADE A MATTER OF RECORD
DATE 8/14/73 CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE
office of the mayor

COMMUNICATION FROM THE MAYOR

August 1, 1973
To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, August 1, 1973, I have approved the following ordinance passed by the Common Council at its special meeting on July 31, 1973.

(Bill No. S-73-07-11)
(Amended)
AMENDED SPECIAL ORDINANCE NO. S-84-73

AN AMENDED SPECIAL ORDINANCE fixing the salaries of each and every appointive officer, employee, deputy, assistant, departmental and institutional head of the City of Fort Wayne, Indiana for the year 1974.

Respectfully yours,

Ivan A. Lebamoff
Mayor

MADE A MATTER OF RECORD
DATE 8/14/73 CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE

office of city plan commission

July 25, 1973

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-73-06-14

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
25th day of July, 1973.

Gretchen Wiegel

Gretchen Wiegel
Secretary

MADE A MATTER OF RECORD
DATE 8/14/73 CHARLES W. WESTERMAN, CITY CLERK

CITY PLAN COMMISSION
City-County Building
One Main Street
Fort Wayne, Indiana

July 25, 1973

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held July 23, 1973. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved:

1. Bill No. Z-73-06-14

   a. Intended Use: Establish a "B2" Shopping Center Symbol.

   b. Plan Commission Recommendation: DO NOT PASS

      This ordinance received a DO NOT PASS recommendation for the following reasons:

      (1) Within two (2) miles of the petitioned change, there are four (4) approved shopping centers, two (2) regional and two (2) neighborhood.

      (2) The present urbanized area is adequately served by a variety of commercial uses that will serve their shopping needs.

      (3) The substantial increase in traffic generation from this proposed center would cause a demand on existing traffic corridors that they are now not capable of handling due to lack of adequate channelization.

      (4) Recommend that Commission and Staff give recommendations on future use of land as this is a substantial piece of vacant property. Given all problems of traffic and land use we shall direct our efforts to arrive at a compatible land use.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Richard Wanush (pr)

Richard S. Wanush
Senior Planner

RSW:pr
Att.

cc: Mayor Ivan Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 12, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-06-14; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 16, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

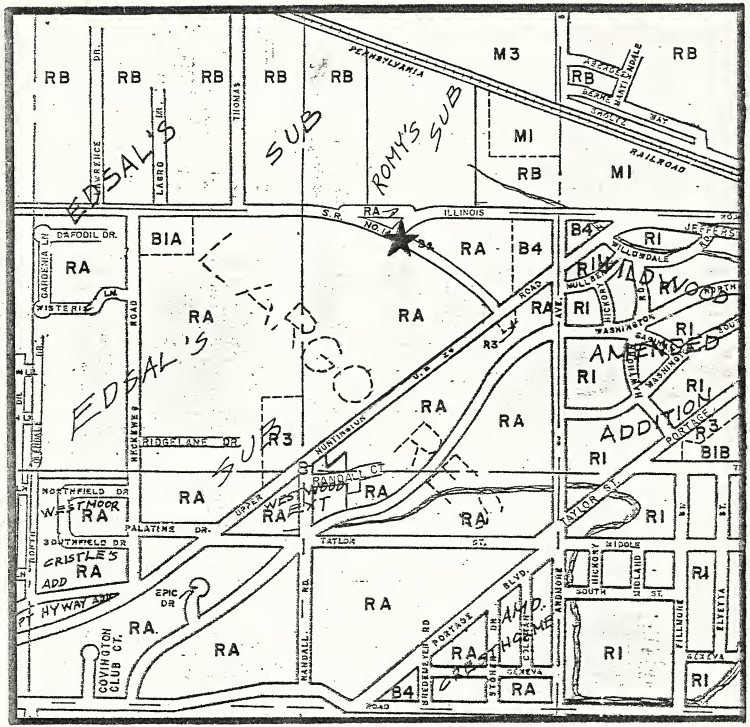
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 23, 1973.

Certified and signed this 25th day of July, 1973.

Gretchen Wiegel

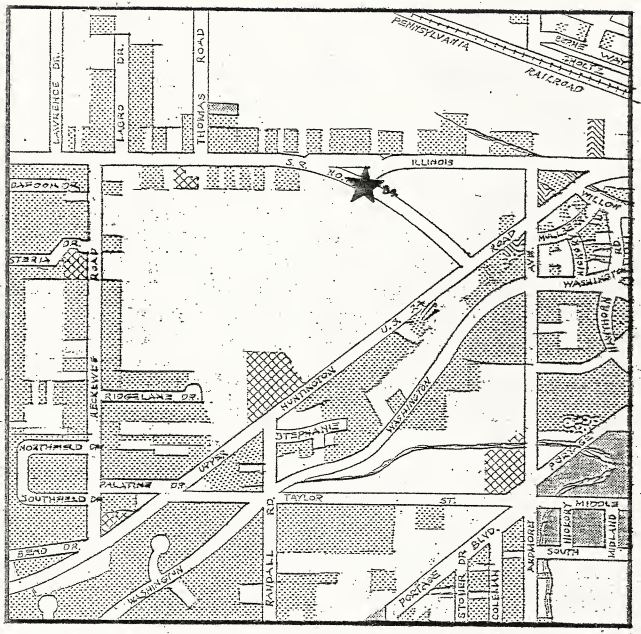
Gretchen Wiegel
Secretary



ESTABLISH A B_2 SHOPPING CENTER SYMBOL

Z-73-06-14

DATE: 3-14-73

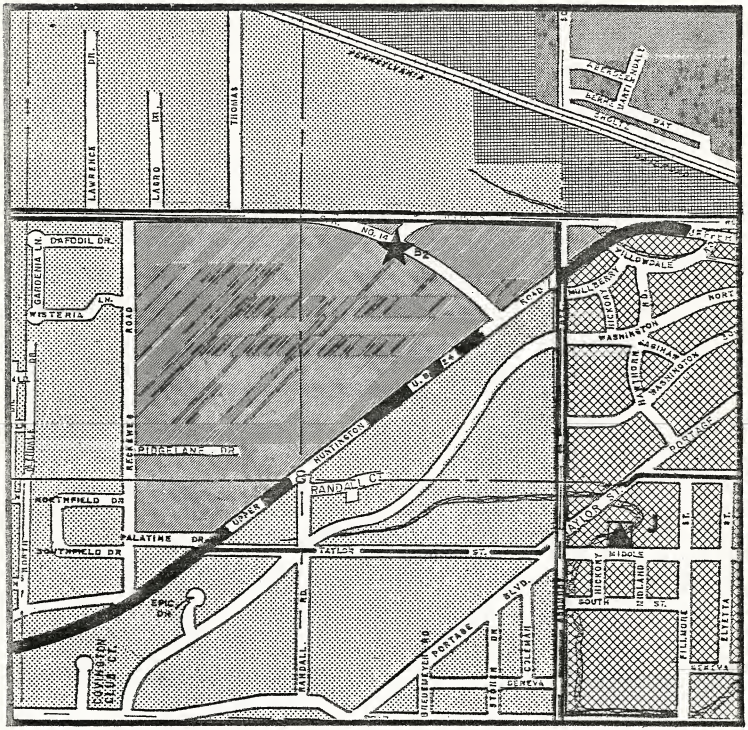


EXISTING LAND USE MAP

- VACANT LAND
- LOW DENSITY RESIDENTIAL
- HIGH DENSITY RESIDENTIAL
- RESIDENCE A
- ROADSIDE BUSINESS
- LIMITED BUSINESS B

N

DATE: 5-14-73



PROPOSED LAND USE MAP

- — High Density Residential
- — Low Density Residential
- — Public and Semi-Public
- — Expressways
- — Primary Streets
- — Commerical
- — Industrial
- — Shopping Center B_2
- — Major Highways
- — Existing Junior High School with proposed play field

N

DATE: 5-14-73

THE CITY OF FORT WAYNE
office of city plan commission

July 25, 1973

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-73-07-03

Respectfully submitted,

CITY PLAN COMMISSION

Gretchen Wiegel

Gretchen Wiegel
Secretary

Certified and signed this
25th day of July, 1973.

MADE A MATTER OF RECORD
DATE 8/14/73 CHARLES W. WESTERMAN, CITY CLERK

CITY PLAN COMMISSION
City-County Building
One Main Street
Fort Wayne, Indiana

July 25, 1973

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held July 23, 1973. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved:

1. Bill No. Z-73-07-03

   a. Intended Use: Mobile Home Park

   b. Plan Commission Recommendation: DO NOT PASS

      This ordinance received a DO NOT PASS recommendation for the following reasons:

      (1) At the present time access to the site will not adequately handle the increase in traffic volumes.

      (2) Adequate sites now exist for development of Mobile Home Parks.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Richard S. Wanush

Richard S. Wanush
Senior Planner

RSW:pr
Att.

cc: Mayor Ivan Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 10, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-07-03; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and

WHEREAS, The City Plan Commission conducted a public hearing on such proposed ordinance on July 16, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

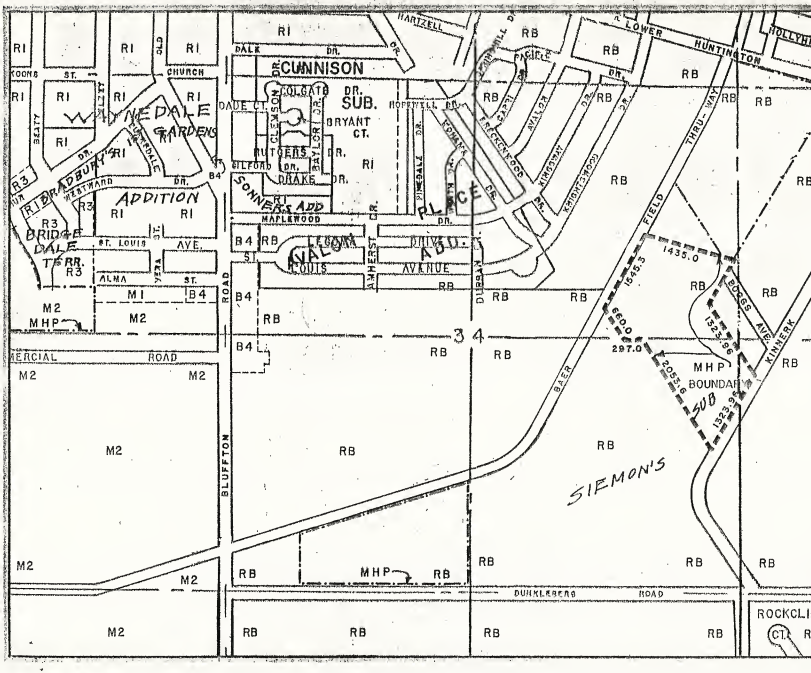
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 23, 1973.

Certified and signed this 25th day of July, 1973.

Gretchen Wiegel

Gretchen Wiegel
Secretary



PROPOSED MOBILE HOME DISTRICT BOU

Z-73-01-03

BB16, BB18.

THE CITY OF FORT WAYNE

office of city plan commission

July 30, 1973

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-73-06-15

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
30th day of July, 1973.

Gretchen Wiegel

Gretchen Wiegel
Secretary

MADE A MATTER OF RECORD
DATE 8/14/73 CHARLES W. WESTERMAN, CITY CLERK

CITY PLAN COMMISSION
City-County Building
One Main Street
Fort Wayne, Indiana

July 30, 1973

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment.

In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-73-06-15

   This ordinance was requested to be withdrawn by the petitioner, as the petitioner does not constitute fifty-one percent (51%) of the property to be rezoned.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Richard S. Wanush (kpr)

Richard S. Wanush
Senior Planner

RSW:pr
Att.

CC: Mayor Ivan Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 12, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-06-15, and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 16, 1973; and,

WHEREAS, a request of withdrawal has been made by the petitioner, as they do not constitute fifty-one percent (51%) of the property to be rezoned.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the request of the petitioner;

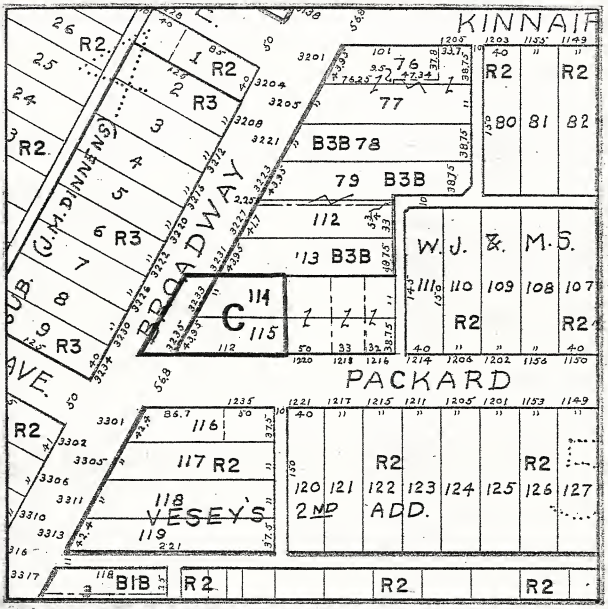
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 23, 1973.

Certified and signed this
30th day of July, 1973.

Gretchen Wiegel

Gretchen Wiegel
Secretary



C CHANGE FROM BIB TO B3B

Lots # 114 & 115 in W.J. & M.S. Vesey's Second Addition

Z-73-06-15

DATE: 2-27-73

THE CITY OF FORT WAYNE
office of city plan commission

August 13, 1973

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-73-05-04

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
13th day of August, 1973.

Gretchen Wiegel.
Secretary

MADE A MATTER OF RECORD
DATE 8/14/73 CHARLES W. WESTERMAN, CITY CLERK

CITY PLAN COMMISSION
City-County Building
One Main Street
Fort Wayne, Indiana

August 13, 1973

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a Zoning Ordinance Amendment acted upon by the City Plan Commission at their meeting held July 23, 1973. In addition to the reasons outlined in the resolution, the following is additional remarks pertaining to the ordinance.

1. Bill No. Z-73-05-04

   a. Intended Use: Expansion of a liquor store.

   b. Plan Commission Recommendation: DO PASS

      This ordinance received a DO PASS recommendation for the following reasons:

      1) The present use of the property is a legal non-conforming use, and as a result would not provide for expansion.

      2) The present on-site storage facilities are not adequate for the present use, therefore, a change in zoning would allow for the elimination of the existing conditions by allowing expansion of the building to provide for enclosed storage.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION
Richard Wanush (PP)
Richard Wanush
Senior Plann

RW:pr
ATT.

cc: Mayor Ivan Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 8, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-05-04; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 16, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

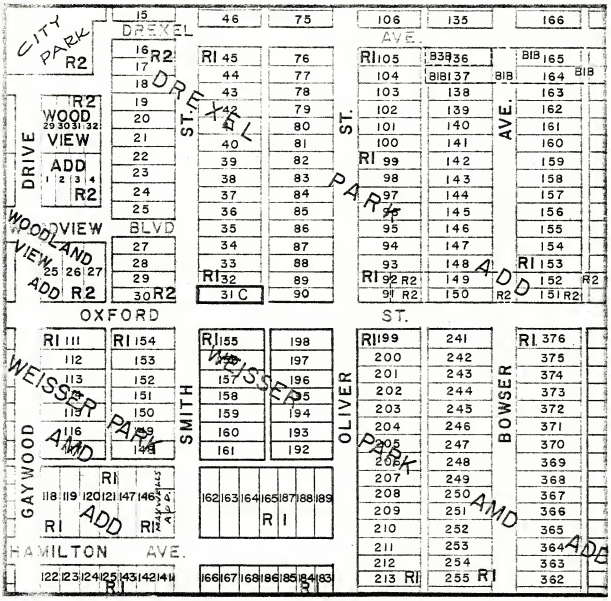
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 23, 1973.

Certified and signed this
13th day of August, 1973.

Gretchen Wiegel

Gretchen Wiegel
Secretary



C CHANGE FROM RI TO BIB

Lot # 31 in Drexel Park Addition

Z-73-05-04

THE CITY OF FORT WAYNE
department of public safety

August 10, 1973

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 36-73/D and 37-73/E.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

Thomas J. Casaburo

Thomas J. Casaburo
Director of Public Safety

MADE A MATTER OF RECORD
DATE 8/14/73 CHARLES W. WESTERMAN, CITY CLERK

RETURN CERTIFICATE

(Regulatory Resolution No. 36-73 /D) & 37/73/E

I hereby certify that I did this 10th day of August, 19XX73 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 36-73/D & 37-73/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.

EXECUTIVE SECRETARY

REGULATORY RESOLUTION NO. 36-73 /D

(Adopted August 10, 1973)

WHEREAS, Section 20 (a) (2), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55, adopted FEB. 14, 1961. authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 121 of said chapter as so amended delegates to this Board authority to Designate No Parking Emergency Vehicles Only ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 21, 1973, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this Board by Section 121 of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14. 1961. it is hereby ordered, effective August 10, 1973, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. NO PARKING EMERGENCY VEHICLES ONLY

1. Brackenridge Street - north side - from Harrison St. to 60 feet west thereof.

REGULATORY RESOLUTION NO. 37-73/E

(Adopted August 20, 1973.)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No.G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to Designate Traffic Signal; and,

WHEREAS, the City Traffic Engineer has, by written memorandun dated July 20, 19 73, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14. 1961. to make experimental regulations to cover special conditions, it is hereby ordered, effective August 20, 19 73 and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. TRAFFIC SIGNAL

1. Washington Center Road at Dartmouth Drive

COMMON COUNCIL
CITY OF FORT WAYNE
ONE EAST MAIN ST.
FORT WAYNE, INDIANA 46802

JOHN NUCKOLS
MEMBER OF CITY COUNCIL
FIRST DISTRICT

August 14, 1973

The Common Council
Fort Wayne, Indiana

Councilmen and Mrs. Schmidt:

Due to a previous business engagement, I will be unable to attend the August 14, 1973, session of the Common Council. My absence will keep me out of the City and therefor, I ask the Vice-Chairman of the Standing Committee on Regulations to chair and handle all business before the Common Council.

Respectfully yours,

John Nuckols
First District Councilman

MADE A MATTER OF RECORD
DATE 8/14/73 CHARLES W. WESTERMAN, CITY CLERK

CITY OF FORT WAYNE

FORT WAYNE, INDIANA

DONALD J. SCHMIDT
MEMBER OF CITY COUNCIL
SECOND DISTRICT

August 14, 1973

The Common Council
Fort Wayne, Indiana

Councilmen and Mrs. Schmidt:

Due to a most important engagement, I wish to extend my apology to my fellow Councilmen and to the Citizens of our City, that I will be unable to attend the Common Council's Regular Session, August 14, 1973, so scheduled.

Respectfully yours,

Donald J. Schmidt
Second District Councilman

MADE A MATTER OF RECORD
DATE 8/14/73 CHARLES W. WESTERMAN, CITY CLERK

The Council then adjourned.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 14th dya of August, 1973; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively;and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 14th day of August,1973.

Charles W. Westerman
City Clerk

SEAL

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, AUGUST 14, 1973

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne, met in the Council Chambers Tuesday evening August 14, A.D., 1973 in Regular Session. President Winfield C. Moses, Jr. in the chair, and Charles W. Westerman Clerk, at the desk, present the following members seven viz:

Burns, Hinga, Kraus, Moses, Vivian Schmidt, Stier, Talarico
Absent: Nuckols, Donald Schmidt

The invocation was given by Reverend Harry Dias - South Wayne Baptist Church.

The minutes of the last regular July 24, 1973 Session and the minutes of the last special July 31, 1973 Session having been delivered to the Council, were, on motion, approved as published.

CORRECTION - Please note correction to be made in the Special Session Journal, Tuesday July 31, 1973.

Omission has been made on page 763, please add:

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-84-73 on the 31st day of July, 1973.

ATTEST (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 1st day of August, 1973, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of August, 1973, at the hour of 12:45 o'clock P.M.,E.S.T.

Ivan A. Lebamoff
Mayor

COMMUNICATION FROM THE MAYOR

July 25, 1973
To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, July 25, 1973, I have approved the following ordinances passed by the Common Council at its regular meeting on July 24, 1973.

(Bill No. A-73-07-06)
APPROPRIATION ORDINANCE NO. A-13-73

AN ORDINANCE appropriating funds from unexpended and unappropriated balance of the Aviation Fund to various accounts in Aviation Budget.

(Bill No. A-73-07-07)
APPROPRIATION ORDINANCE NO. A-14-73

AN ORDINANCE appropriating funds from the unexpended balance of Account No. 71-111 (Police Salaries) to Account No. 70-112 (Emergency Medical Services Salary Account).

(Bill No. A-73-07-08)
APPROPRIATION ORDINANCE NO. A-15-73

AN ORDINANCE appropriating funds from the unexpended and unappropriated balance of the General Fund to various accounts in the Board of Safety.

(Bill No. S-73-07-01)
SPECIAL ORDINANCE NO. S-81-73

AN ORDINANCE approving a certain bid document with GENERAL TRUCK SALES for one (1) ½ ton cab and chassis.

(Bill No. S-73-07-02)
SPECIAL ORDINANCE NO. S-82-73

AN ORDINANCE approving a certain bid document with ERNST TRUCK EQUIPMENT for one (1) new 1973 Refuse Packer.

(Bill No. R-73-07-14)
RESOLUTION NO. R-42-73

A RESOLUTION transferring certain funds from Account No. 67-7-722 Motor Equipment in the 1973 Budget of the Building Department.

(Bill No. R-73-07-15)
RESOLUTION NO. R-43-73

A RESOLUTION transferring certain funds from Account No. 68-7-722 to various accounts in the 1973 budget of Minimum Housing.

(Bill No. R-73-07-19)
RESOLUTION NO. R-41-73

A RESOLUTION of the Common Council approving Grant Agreement with the Federal Government.

(Bill No. R-73-06-26)
GENERAL ORDINANCE NO. G-16-73

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of of a street, petitioned by property owners.

(Bill No. G-73-07-04)
GENERAL ORDINANCE NO. G-17-73

AN ORDINANCE approving a project of the Authority of the City of Fort Wayne to purchase single family homes from FHA for rehabilitation, rental and sale to low income families and approval of a loan of $200,000.00 to be repaid by the Housing Authority and guaranteed by the City of Fort Wayne.

(Bill No. G-73-07-05)
SPECIAL ORDINANCE NO. S-83-73

AN ORDINANCE approving Board of Public Works Resolution No. 59-294-8 for payment to Nobis-Westropp of $53,626.07, of which $16,168.53 shall be in Barrett bonds.

Respectfully yours,

Ivan A. Lebamoff
Mayor

August 1, 1973
To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, August 1, 1973, I have approved the following ordinance passed by the Common Council at its special meeting on July 31, 1973.

(Bill No. S-73-07-11)
(Amended)
AMENDED SPECIAL ORDINANCE NO. S-84-73

AN AMENDED SPECIAL ORDINANCE fixing the salaries of each and every appointive officer, employee, deputy, assistant, departmental and institutional head of the City of Fort Wayne, Indiana for the year 1974.

Respectfully yours,

Ivan A. Lebamoff
Mayor

COMMUNICATIONS FROM CITY PLAN COMMISSION

July 25, 1973

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-73-06-14

Respectfully submitted,

Certified and signed this
25th day of July, 1973.

CITY PLAN COMMISSION

Gretchen Wiegel
Secretary

Made a matter of record

Charles W. Westerman
City Clerk

July 25, 1973

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held July 23, 1973. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved:

1. Bill No: Z-73-06-14

   a. Intended Use: Establish a "B2" Shopping Center Symbol.

   b. Plan Commission Recommendation: DO NOT PASS

      This ordinance received a DO NOT PASS recommendation for the following reasons:

      (1) Within two (2) miles of the petitioned change, there are four (4) approved shopping centers, two (2) regional and two (2) neighborhood.

(2) The present urbanized area is adequately served by a variety of commercial uses that will serve their shopping needs.

(3) The substantial increase in traffic generation from this proposed center would cause a demand on existing traffic corridors that they are now not capable of handling due to lack of adequate channelization.

(4) Recommend that Commission and Staff give recommendations on future use of land as this is a substantial piece of vacant property. Given all problems of traffic and land use we shall direct our efforts to arrive at a compatible land use.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

RSW:pr
Att.

Richard S. Wanush
Senior Planner

cc: Mayor Ivan Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 12, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-06-14; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 16, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 23, 1973.

Certified and signed this
25th day of July, 1973.

Gretchen Wiegel
Secretary

July 25, 1973

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commisssion on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-73-07-03

Respectfully submitted

CITY PLAN COMMISSION

Certified and signed this
25th day of July, 1973.

Gretchen Wiegel
Secretary

Made a matter of record 8-14-73

Charles W. Westerman
City Clerk

July 25, 1973

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held July 23, 1973. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved:

1. Bill No. Z-73-07-03

   a. Intended Use: Mobile Home Park

   b. Plan Commission Recommendation: DO NOT PASS

      This ordinance received a DO NOT PASS recommendation for the following reasons:

      (1) At the present time access to the site will not adequately handle the increase in traffic volumes.

(2) Adequate sites now exist for development of Mobile Home Parks.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

RSW: pr
att:
cc: Mayor Ivan Lebamoff

CITY PLAN COMMISSION

Richard S. Wanush
Senior Planner

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 10, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-07-03; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and

WHEREAS, The City Plan Commission conducted a public hearing on such proposed ordinance on July 16, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 23, 1973.

Certified and signed this
25th day of July, 1973.

Gretchen Wiegel
Secretary

July 30, 1973

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-73-06-15

Respectfully submitted,

CITY PLAN COMMISSION

Gretchen Wiegel
Secretary

Certified and signed this
30th day of July, 1973

Made a matter of record 8-14-73

Charles W. Westerman
City Clerk

July 30, 1973

Members of the Common Council
City-County Builidng
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment.

In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-73-06-15

   This ordinance was requested to be withdrawn by the petitioner, as the petitioner does not constitute fifty-one percent (51%)of the property to be rezoned.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

RSW: pr
Att:

CITY PLAN COMMISSION

Richard S. Wanush
Senior Planner

CC: Mayor Ivan Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 12, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-06-15; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 16, 1973; and,

WHEREAS, a request of withdrawal has been made by the petitioner, as they do not constitute fifty-one percent (51%) of the property to to rezoned.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the request of the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 23, 1973.

Certified and signed this
30th day of July, 1973.

Gretchen Wiegel
Secretary

August 13, 1973

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836 amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-73-05-04

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
13th day of August, 1973.

Gretchen Wiegel
Secretary

Made a matter of record 8-14-73

Charles W. Westerman
City Clerk

August 13, 1973

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a Zoning Ordinance Amendment acted upon by the City Plan Commission at their meeting held July 23, 1973. In addition to the reasons outlined in the resolution, the following is additional remarks pertaining to the ordinance.

1. Bill No. Z-73-05-04

a. Intended Use: Expansion of a liquor store.

b. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reasons:

1) The present use of the property is a legal non-conforming use, and as a result would not provide for expansion.

2) The present on-site storage facilities are not adequate for the present use, therefore, a change in zoning would allow for the elimination of the existing conditions by allowing expansion of the building to provide for enclosed storage.

If there are any questions with regard to this ordinance, please feel free to call on us.

RW: pr
Att:

Respectfully submitted,

Richard Wanush
Senior Planner

CC: Mayor Ivan Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 8, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-05-04; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 16, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 23, 1973.

Certified and signed this
13th day of August, 1973.

Gretchen Wiegel
Secretary

COMMUNICATION FROM THE DEPARTMENT OF PUBLIC SAFETY

August 10, 1973

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 36-73/D and 37-73/E.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

Thomas J. Casaburo
Director of Public Safety

Made a matter of record 8-14-73

Charles W. Westerman
City Clerk

RETURN CERTIFICATE

(REgulatory Resolution No. 36-73/D & 37-73/E)

I hereby certify that I did this 10th day of August, 1973 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution Nos. 36-73/D 7 37-73/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55 adopted FEB. 14, 1961.

J. Lawrence Riley/ss
Executive Secretary

REGULATORY RESOLUTION NO. 36-73/D
(Adopted August 10, 1973)

WHEREAS, Section 20 (a) (2), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14, 1961 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 121 of said chapter as so amended delegates to this Board authority to Designate No Parking Emergency Vehicles Only; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 21, 1973, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this Board by Section 121 of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No. G-55 adopted FEB. 14, 1961 it is hereby ordered, effective August 10, 1973, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. NO PARKING EMERGENCY VEHICLES ONLY

1. Brackenridge Street - north side - from Harrison St. to 60 feet west thereof.

REGULATORY RESOLUTION NO. 37-73/E
(Adopted August 10, 1973)

WHEREAS, Section 20 (a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14, 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to Designate Traffic Signal; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 20, 1973, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No. G-55 adopted FEB. 14, 1961 to make experimental regulations to cover special conditions, it is hereby ordered, effective August 10, 1973, and for a period of sixty (60) days thereafter, and when signs

are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. TRAFFIC SIGNAL

1. Washington Center Road at Dartmouth Drive

COMMUNICATION FROM COUNCILMAN JOHN NUCKOLS

August 12, 1973

The Common Council
Fort Wayne, Indiana

Councilmen and Mrs. Schmidt:

Due to a previous business engagement, I will be unable to attend the August 14, 1973, session of the Common Council. My absence will keep me out of the city and therefore, I ask the Vice-Chairman of the Standing Committee on Regulations to chair and handle all business before the Common Council.

Respectfully yours,

John Nuckols
First District Councilman

Made a matter of record 8-14-73

Charles W. Westerman
City Clerk

COMMUNICATION FROM COUNCILMAN DONALD SCHMIDT

August 12, 1973

The Common Council
Fort Wayne, Indiana

Councilmen and Mrs. Schmidt:

Due to a most important engagement, I wish to extend my apology to my fellow Councilmen and to the Citizens of our City, that I will be unable to attend the Common Council's Regular Session, August 14, 1973, so scheduled.

Respectfully yours,

Donald J. Schmidt
Second District Councilman

Made a matter of record 8-14-73

Charles W. Westerman
City Clerk

BILL NO. S-73-08-01

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving a contract with International Harvester and Ernst Truck Equipment Co. for 2 Trucks and 2 Dump bodies.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 529 dated July 12, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, Street Department and International Harvester and Ernst Truck Equipment Co. for

Trucks with trade-in	$11,333.84
Frame reinforcement for two units	130.00
	$11,463.84

and

2 Dump Bodies	$ 3,518.00

all for a total cost of $14,981.84, all as more particularly set forth on Civil City Purchase Orders No. 3-17475 and 3-17476, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the first time in full and on motion by Hinga, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Finance.

Date: 8-14-73

Charles W. Westerman
City Clerk

BILL NO. S-73-08-03

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving a certain bid document with ERNST TRUCK EQUIPMENT COMPANY for the purchase of three salt spreaders for the Street Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 523 dated May 23, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, Street Department and ERNST TRUCK EQUIPMENT COMPANY, for:

Three (3) 1973 Salt Spreaders $5,741.49

as more specifically set forth in said bid document Ref. No. 523 and Purchase Order No. 3-16269 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the first time in full and on motion by Hinga, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Finance.

Date: 8-14-73

Charles W. Westerman
City Clerk

BILL NO. S-73-08-29

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving Change Order No. 1 with Maumee Construction Corp. in connection with Vance Avenue Sidewalk installation Ordinance No. S-52-72.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1, with Maumee Construction Corp. in connection with Vance Avenue sidewalks installation Ordinance No. S-52-72 as set out in specifications, resulting in an increase in the amount of $3,314.06 in the contract price is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the first time in full and on motion by Hinga, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Finance.

Date: 8-14-73

Charles W. Westerman
City Clerk

BILL NO. S-73-08-30

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving a contract with JUSTUS CONTRACTING COMPANY for construction of a water main on Old Decatur Road.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement approved July 24, 1973 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and JUSTUS CONTRACTING CO., INC. for the construction of a water main as follows:

2235± feet of 12 inch ductile iron water main and its appurtenances on the Old Decatur Road, from the existing water main on South Anthony Blvd., southward a distance of 2235± feet, all as shown on Fort Wayne Water Utility Drawing No. M-10055, sheet 1 of 1.

for a total cost of $8,157.40 of Utility money, all as more particularly set forth in said contract, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This ORdinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the first time in full and on motion by Stier, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Public Works.

Date: 8-14-73

Charles W. Westerman
City Clerk

BILL NO. S-73-08-31

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving Agreement with KEN NIEMEYER, INC. for construction of the LAKE FOREST ADDITION EXTENDED sewer.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Sewer Agreement dated July 16, 1973, between KEN NIEMEYER, INC. as Developer, and the CITY OF FORT WAYNE, by and through its Mayor and Board of Public Works, for the construction of a sanitary sewer in the Lake Forest Addition Extended, Section V, as follows:

LATERAL A-1

Commencing from a proposed manhole over an existing 30" sanitary sewer located 40± Lineal Feet South of the Southeast corner of Lot #9 of said addition; thence Northwest 73± Lineal Feet to a proposed manhole located 15± Lineal Feet North of the Southwest corner of Lot #9; thence due North 121± Lineal Feet to a proposed manhole located 8± Lineal Feet North of the Northwest corner of Lot #9. Said manhole more particularly described as being 8± Lineal Feet North of the South Right-of-way line of Turkey Run Drive; thence due North 540± Lineal Feet to a proposed manhole located 17± Lineal Feet West of and 17± Lineal Feet South of the centerline intersection of Turkey Run Drive and Skyhawk Drive; thence due North 900± Lineal Feet terminating at a proposed manhole located 17± Lineal Feet East of the centerline of Skyhawk Drive and 5± Lineal Feet North of the Northwest corner of Lot #29 of said addition.

LATERAL A-1-A

Commencing from a proposed manhole located 17± Lineal Feet East of and 17± Lineal Feet South of the centerline intersection of Skyhawk Drive and Turkey Run DRive; thence due South 80± Lineal Feet terminating at a proposed cleanout located 17± Lineal Feet East of the centerline of Skyhawk Drive and 5± Lineal Feet South of the Northeast corner of Lot #17 of said addition.

LATERAL A-2

Commencing from a proposed manhole located 17± Lineal Feet East of and 17± Lineal Feet South of the centerline intersection of Turkey Run Drive and Cimarron Pass; thence Northerly generally along the East right-of-way of Cimarron Pass 1215± Lineal Feet terminating at a proposed manhole located 17± Lineal Feet East of and 105± Lineal Feet North of the Northwest corner of Lot #52 of said addition.

LATERAL A-3

Commencing from a proposed manhole located 17± Lineal Feet South of the centerline of Turkey Run Drive and due North of the Northwest corner of Lot #9 of said addition; thence Easterly along the South right-of-way line of Turkey Run Drive 580± Lineal Feet, terminating at a proposed manhole located 5± Lineal Feet East of the most Westerly corner of Lot #1 of said addition and 17± Lineal Feet South of the centerline of Turkey Run Drive. Said sewers shall be 15", 12", and 8" in diameter.

the entire cost and expense of construction of said sewer to be borne by Developer, including City engineering and inspection fees, and to hold the City harmless from any liability for claims connected therewith, all as more particularly set forth in said Sewer Agreement, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. That the Developer, and any owner or owners of land, their successors in title and assigns, which is now or may hereafter be located outside the corporate limits of the City of Fort Wayne, Indiana, who taps into the sewer main covered in said Agreement, or any extension thereof, shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with, or oppose any pending or future annexation by said City of Fort Wayne, Indiana, of such land or territory in which said land is located.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the first time in full and on motion by Stier, and seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Public Works.

Date: 8-14-73

Charles W. Westerman
City Clerk

BILL NO. S-73-08-32

SPECIAL ORDINANCE NO. S-____

AN ORDINANCE approving Contracts with various Contractors for the construction of the St. Joseph Interceptor Sewers.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Contracts between the following Contractors: ~~JOHN DEHNER, INC. dated July 13, 1973; NOBIS-WESTROPP CONST. dated July 18, 1973; EARTH CONSTRUCTION (2) dated July 18, 1973; BERCOT, INC. dated July 17, 1973; HIPSKIND ASPHALT (3) dated July 16, 1973~~ and the CITY OF FORT WAYNE, by and through its Mayor and Board of Public Works, for the construction of the Saint ~~Joseph Interceptor~~ Sewers as follows:

~~JOHN DEHNER, INC.~~

Beginning at an existing 54 inch sanitary sewer located approximately 145 feet west of the St. Joseph River and at the Northeast corner of Concordia Gardens; thence, Northerly along the West side of the Old Feeder Canal a distance of 380± feet to a proposed manhole; thence, Northeast in and along the Old Feeder Canal a distance of 1,436± Lineal Feet to a proposed manhole located approximately 100 feet West of the St. Joseph River; thence, continuing in a Northerly direction along the West side of the St. Joseph River a distance of 3,051± Lineal Feet to a proposed manhole located 150± feet North of the Swift Drain; thence, in an Easterly and Southeasterly direction along the North side of the St. Joseph River a distance of 2,073± Lineal Feet to a proposed manhole; thence, in an Easterly direction a distance of 3,722± Lineal Feet to a proposed manhole located approximately 120 feet West of the St. Joseph River; thence, in a Northerly direction along the West side of the said river a distance of 929± Lineal Feet, terminating at a proposed manhole located approximately 70 feet North of the St. Joseph River and 120 feet South of Martin Drain.

Said sewer shall be 54 inches in diameter, with all appurtenances to be constructed in accordance with the plans, profiles, special details and specifications now on file in the Office of the Board of Public Works of said City, and shall be used for sanitary purposes only.

NOBIS-WESTROPP CONSTRUCTION CO., INC.

Beginning at a proposed manhole located approximately 70 feet North of the St. Joseph River and 120 feet South of the Martin Drain; thence, in a Northeasterly direction along the North side of the St. Joseph River a distance of 4,194± Lineal Feet, terminating at a proposed manhole located approximately 175 feet Northwest of the St. Joseph River and approximately 2,500 feet Northeast of Mayhew Road.

Said sewer shall be 48 inches in diameter, with all appurtenances to be constructed in accordance with the plans, profiles, special details and specifications now on file in the Office of the Board of Public Works of said City.

EARTH CONSTRUCTION AND ENGINEERING, INC.

Beginning at a proposed manhole located approximately 380 feet North of Concordia Gardens and 50 feet West of the Old Feeder Canal; thence in a Westerly and Northwesterly direction along the South side of Beckett's Run Ditch a distance of 3,279± Lineal Feet to a proposed manhole located on the West side of Leo Road and approximately 45 feet South of the Beckett's Run Bridge; thence, in a Northwest direction a distance of 1,117± Lineal Feet to a proposed manhole located approximately 400 feet West of Interstate 69; thence North along the East side of Beckett's Run Ditch a distance of 1,388± Lineal Feet to a proposed manhole; thence, West along the North side of said ditch a distance of 515± Lineal Feet to a proposed manhole; thence, North along the East side of said ditch a distance of 2,075± Lineal Feet to a proposed manhole; thence, Northwest a distance of 328± Lineal Feet to a proposed manhole located on the East side of Old Auburn Road and approximately 300 feet South of Wallen Road (East of Old Auburn Road); thence, North along Old Auburn Road a distance of 525± Lineal Feet to a proposed manhole located approximately 210 feet North of Wallen Road; thence, West a distance of 243± Lineal Feet to a proposed manhole; thence, in a Northwesterly direction along the Northerly side of Beckett's Run Ditch a distance of 4,037± Lineal Feet, terminating at a proposed manhole located on the East side of S.R. #327 and approximately 50 feet North of Beckett's Run Ditch.

Said sewer shall be 27, 30 and 36 inches in diameter, with all appurtenances to be constructed in accordance with the plans, profiles, special details and specifications now on file in the Office of the Board of Public Works of said City, and shall be used for sanitary purposes only.

BERCOT, INC.

Beginning at a proposed manhole located on the East side of S.R. #327 and approximately 50 feet North of Beckett's Run Ditch; thence, Northwest a distance of 1,032± Lineal Feet to a proposed manhole located at the Northeast corner of Lot #5 in Feichter's Subdivision; thence, West a dis-

tance of 1,533± Lineal Feet to a proposed manhole; thence, in a Northwesterly direction a distance of 808± Lineal Feet to a proposed manhole; thence, in a Westerly direction a distance of 1,715± Lineal Feet to a proposed manhole located on the West side of the old New York Central Railroad line and approximately 1,250 feet North of Till Road; thence, South along said railroad a distance of 445± Lineal Feet to a proposed manhole; thence, West along the South side of Beckett's Run Ditch a distance of 1,351± Lineal Feet to a proposed manhole; thence, South along the West side of said ditch a distance of 530± Lineal Feet to a proposed manhole; thence, West along the North side of Beckett's Ran Ditch a distance of 1,665± Lineal Feet to a proposed manhole located approximately 100 feet North of Till Road; thence, in a Northerly direction 3,336± Lineal Feet along the East side of an existing drainage ditch to a proposed manhole located approximately 220 feet South of Dupont Road and approximately 2,200 feet East of S.R. #3; thence, in a Northwesterly direction along the Northerly side of an existing drainage ditch a distance of 3,675± Lineal Feet terminating at a proposed manhole located on the West side of S.R. #3 and approximately 50 feet North of the Randert Drain.

Said sewer shall be 21, 24, and 27 inches in diameter, with all appurtenances to be constructed in accordance with the plans, profiles, special details and specifications now on file in the Office of the Board of Public Works of said City, and shall be used for sanitary purposes only.

HIPSKIND ASPHALT CORPORATION

Beginning at a proposed manhole located on the West side of State Road #3 and approximately 50 feet North of the Rahdert Drain; thence, in a Northwesterly direction along the Northerly side of the Rahdert Drain a distance of 1,487 Lineal Feet to a proposed manhole located on the South Side of Carroll Road, and approximately 1,100 feet West of State Road #3; thence, West along the South side of Carroll Road a distance of 695± Lineal Feet to a proposedmanhole located on the South side of Carroll Road and approximately 540 feet East of the G.R. & T. Railroad tracks; thence, North a distance of 1,355± Lineal Feet, terminating at a proposed manhole located near the existing Irene Byron - County Home Treatment Plant. Said sewer shall be 8, 12, 18 and 21 inches in diameter, with all appurtenances to be constructed in accordance with the plans, profiles, special details and specifications now on file in the Office of the

Board of Public Works of said City, and shall be used for sanitary purposes only.

EARTH CONSTRUCTION & ENGINEER, INC.

Beginning at a proposed manhole located approximately 150 feet North of the Swift Drain and approximately 300 feet Northwest of the St. Joseph River; thence, in a Northwesterly direction along the Northerly side of Swift Drain a distance of 2,160± Lineal Feet to a proposed manhole located on the Westside of Leo Road and approximately 45 feet North of Swift Drain; thence, in a Northwesterly and Northerly direction a distance of 895± Lineal Feet to a proposed manhole located on the East side of Interstate 69 and approximately 470 feet North of Wallen Road; thence, West 250± Lineal Feet to a proposed manhole located on the West side in Interstate 69; thence, Northerly a distance of 5,130± Lineal Feet, terminating at a proposed manhole located on the North side of Dupont Road and approximately 825 feet West of Interstate 69.

Branch Line A:

Beginning at a proposed manhole located approximately 180 feet West of Interstate 69; thence, East a distance of 785± Lineal Feet, terminating at a proposed manhole located approximately 1,240 feet South of Dupont Road and approximately 380 feet East of Interstate 69.

Said sewer shall be 12 and 24 inches in diameter, with all appurtenances to be constructed in accordance with the plans, profiles, special details and specifications now on file in the Office of the Board of Public Works of said City, and shall be used for sanitary purposes only.

HIPSKIND ASPHALT CORPORATION

Beginning at a proposed manhole located on the North side of Dupont Road and 825 feet West of the centerline of Intersate 69; thence, in a Northwest direction a distance of 1,205± lineal feet to a proposed manhole; thence, North a distance of 1,405± Lineal Feet to a proposed manhole located on the North side of Northway Drive and approximately 1,040 feet East of Old Auburn Road; thence, East a distance of 1,012± lineal feet to a proposed manhole; thence, in a Northwesterly direction along a drainage ditch a distance of 3,123± lineal feet to a proposed manhole; thence, Westerly along the Delagrange Ditch a distance of 920± lineal feet to a proposed manhole located on the East side of Old Auburn Road and

approximately 85 feet South of the Delagrange Ditch; thence, continuing West a distance of 2,068± lineal feet to a proposed manhole; thence, in a Northwesterly direction a distance of 1,140± lineal feet, terminating at a manhole located at the Pine Valley Treatment Plant.

Said sewer shall be 15, 18 and 24 inches in diameter, with all appurtenances to be constructed in accordance with the plans, profiles, special details and specifications now on file in the Office of the Board of Public Works of said City, and shall be used for sanitary purposes only.

HIPSKIND ASPHALT CORPORATION

Beginning at a proposed manhole located approximately 70 feet North of the St. Joseph River and approximately 120 feet South of the Martin Drain; thence, in a Northwesterly direction a distance of 810± Lineal Feet to a proposed manhole; thence in a Northerly direction a distance of 3,461± Lineal Feet, terminating at a proposed manhole located on the North side of Leo Road and approximately 240 feet Southwest of the Martin Drain bridge culvert.

Said sewer shall be 18 and 24 inches in diameter, with all appurtenances to be constructed in accordance with the plans, profiles, special details and specifications now on file in the Office of the Board of Public Works of said City, and shall be used for sanitary purposes only.

the cost and expense of construction of said sewer system to be borne approximately 15% by the City of Fort Wayne, Indiana, the remainder to be funded by a Federal and State Grant, including City engineering and inspection fees, all as more particularly set forth in said Construction Contracts which are on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. That the Contractors, and any owner or owners of land, their successors in title and assigns, which is now or may hereafter be located outside the corporate limits of the City of Fort Wayne, Indiana, who taps into the sewer main covered in said Contracts, or any extension thereof, shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with, or oppose any pending or future annexation by said City of Fort Wayne, Indiana, of such land or territory in which said land is located.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the first time in full and on motion by Hinga, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee of Finance.

Date: 8-14-73

Charles W. Westerman
City Clerk

BILL NO. S-73-08-33

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving a contract with WAYNE ASPHALT AND CONSTRUCTION COMPANY for resurfacing twenty (20) streets.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved August 3, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and WAYNE ASPHALT AND CONSTRUCTION COMPANY for the resurfacing of twenty (20) streets per attached list for a total of $366,133.35, all as more particularly set forth in said contract , which contract is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

IMPROVEMENT RESOLUTION NO. 5638-1973: For resurfacing the following twenty streets:

1. Buena Vista Drive from the north property line of Lawndale Drive to the south property line of Curdes Avenue, to a width of 18 feet.

2. Glencairn Drive from the north curb line of Vance Avenue to the north property line of Fairlawn Pass, to a width of 23 feet.

3. St. Joe Road from a point approximately 350 feet north of St. Joe Center Road to the south pavement line of Evard Road, to a width of 22 feet.

4. Elwood Drive from the north property line of Fairlawn Pass to the south property line of Trierwood Park Drive, to a width of 23 feet.

5. Fairlawn Pass from the east property line of Glencairn Drive to the west property line of Elwood Drive to a width of 23 feet.

6. Lake Avenue from the east curb line of St. Joseph Boulevard to a point 50 feet east of Tecumseh Street, to a width of 30 feet.

7. Goshen Road from the north property line of State Boulevard to the east curb line of Sherman Boulevard, to a width of 30 feet.

8. Dartmouth Drive from the north property line of Catalina Avenue to the south pavement line of Washington Center Road, to a width of 23 feet.

9. Sandpoint Road from the west pavement line of Bluffton Road to the east pavement line of Ardmore Avenue, to a width of 24 feet.

10. Engle Road from the east pavement line of Bluffton Road to the east pavement line of Ardmore Avenue, to a width of 24 feet.

11. Eby Avenue from the west property line of Bevel Avenue to the east property line of Paul Street, to a width of 26 feet.

12. Lenox Avenue from the west property line of Hoagland Avenue to the east property line of Fairfield Avenue, to a width of 23 feet.

13. Doan Drive from the east property line of Calhoun Street to the east property line of Noll Avenue, to a width of 23 feet.

14. Noll Avenue from the south property line of Doan Drive to a point 40 feet north of the property line of Paulding Road, to a width of 29 feet.

15. Harrison Street from the south property line of Crown Lane to the south property line of Southfair Court, to a width of 26 feet.

16. Mount Vernon Park from the west property line of Bowser Avenue to the north property line of Roosevelt Drive, to a width of 26 feet.

17. Bowser Avenue from the north curb line of Capitol Avenue to the south property line of McKinnie Avenue, to a width of 26 feet.

18. Bowser Avenue from a point 200 feet south of Roosevelt Drive to the east curb line of Oliver Street, to a width of 20 feet and 26 feet.

19. Oliver Street from the south property line of Capitol Avenue to the north property line of Pettit Avenue, to a width of 20 feet and 26 feet.

20. South Anthony Boulevard from a point approximately 525 feet south of U.S. Highway 27 south to a point approximately 840 feet south thereof, to a width of 20 feet.

Read the first time in full and on motion by Hinga, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Finance.

Date: 8-14-73

Charles W. Westerman
City Clerk

BILL NO. S-73-08-34

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving a contract with JOHN DEHNER, INC. for the paving of Clermont Avenue from Hessen Cassel Road to Wayne Trace.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved August 6, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and JOHN DEHNER, INC. for the paving of Clermont Avenue, as follows:

Clermont Avenue from the east property line of Hessen Cassel Road to the west property line of Wayne Trace.

for a total cost of $93,976.44 of which the City will be paying approximately 69% ($65,000.00), all as more particularly set forth in said contract, which contract is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the first time in full and on motion by Hinga, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Finance.

Date: 8-14-73

Charles W. Westerman
City Clerk

BILL NO. Z-73-08-20

ZONING ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. CC14.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R2 district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. CC14 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots 21 through 37, and Lots 44 through 61, Elzey's Fourth to Waynedale Addition.

Section 2. This ORdinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

Read the first time in full and on motion by V. Schmidt, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations and the City Plan Commission for recommendation.

Date: 8-14-73

Charles W. Westerman
City Clerk

BILL NO. Z-73-08-21

ZONING ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F1-F2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3A district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. F1-F2 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot #44 Eastwood Addition, commonly known as 3714 New Haven Avenue and Lot #45 Eastwood Addition, commonly known as 3718 New Haven Avenue, generally located on the south side of New HAven Avenue, three lots west of Redwood Avenue.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

Read the first time in full and on motion by V. Schmidt, seconded by Talarico,and duly adopted, read the second time by title and referred to the Committee on Regulations and the City Plan Commission for recommendation.

Date: 8-14-73

Charles W. Westerman
City Clerk

BILL NO. Z-73-08-22

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. JJ1.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. JJ1 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of the fractional Northwest Quarter of Section 7, Township 30 North, Range 12 East, in Allen County, Indiana, in particular described as follows, to-wit:

Commencing on the North line of said Quarter Section as by the centerline of the pavement in the Illinois Road, also designated as State Highway No. 14, defined, at a point situated 422.7 feet East of the Northwest corner of said Section; thence running East along the line aforesaid, 629 feet; thence South on a line normal to the line aforesaid, a distance of 500 feet; thence West and parallel to the said road centerline, a distance of 629 feet; thence North on a line normal to said road centerline, a distance of 500 feet to the place of beginning; containing 7.22 acres of land; SUBJECT TO public highway upon and over the North 40 feet thereof, occupied by said highway;

SUBJECT TO an easement over PARCEL No. 1 Project I-69-4 (12) 105 Limited Access Right-of-Way; containing 0.959 acres, more or less, conveyed to the State of Indiana by Clerk's Deed recorded in Deed Book 682, pages 269 and 270, pursuant to Cause No. 5252 Circuit Court of Allen County, Indiana;

SUBJECT TO an easement over PARCEL no. 1 Permanent Right-of-way Project I-69-4(12) 105; containing 1.094 acres, more or less, conveyed to the State of Indiana by Clerk's Deed recorded in Deed Book 682, pages 271-

272, pursuant to Cause No. 5252 Circuit Court of Allen County, Indiana;

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

Read the first time in full and on motion by V. Schmidt, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations and the City Plan Commission for recommendation.

Date: 8-14-73

Charles W. Westerman
City Clerk

BILL NO. Z-73-08-23

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. D9.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. D9, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots 197 & 198 Driving Park Addition

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

Read the first time in full and on motion by V. Schmidt, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations and the City Plan Commission for recommendation.

Date: 8-14-73

Charles W. Westerman
City Clerk

BILL NO. Z-73-08-24

ZONING MAP ORDINANCE NO. Z-____

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. CC24.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M-2 district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. CC24 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of the Northwest Quarter and Part of the Southwest Quarter of Section 10, Township 29 North, Range 12 East, in Allen County, Indiana, more particularly described as follows:

Beginning at the northeast corner of the Northwest Quarter of Sec. 10, Township 29 North, Range 12 east in Allen County, Indiana; thence south along the east line of the NW1/4 and the SW1/4 of Sec. 10-29-12 a distance of 3084.1 feet; thence west by a deflection angle to the right of 88 degr. 31 min. 40 sec. a distance of 1326.5 feet to a point on the west line of the east half of the SW1/4 of Sec. 10-29-12; thence north along the west line of the east half of the SW1/4 and the NW1/4 of Sec. 10-29-12, by a deflection angle to the right of 91 degr. 24 min. 01 sec. a distance of 3095.1 feet to a point on the north line of the NW1/4 of Sec. 10-29-12; thence east along said line by a deflection angle to the right of 89 degr. 04 min. 40 sec. a distance containing 94.19 acres, more or less, subject to road right of way and easements.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

Read the first time in full and on motion by V. Schmidt, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations and the City Plan Commission for recommendation.

Date: 8-14-73

Charles W. Westerman
City Clerk

BILL NO. G-73-08-25

GENERAL ORDINANCE NO. G-_____

AN ORDINANCE amending the General Ordinance G-97 by authorizing the vacation of an alley and two streets.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of two public streets by NORTHSIDE FINANCE CORP. having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on July 23, 1973 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the State of Indiana (Burns' Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General ORdinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public streets in Fort Wayne, Allen County, Indiana, to-wit:

Glen Eden Drive from Southwest boundary line of the Goshen Road to the southwestern terminus of said Glen Eden Drive; and

Apple Valley Lane in its entirety.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This ORdinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilman

Read the first time in full and on motion by V. Schmidt, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations.

Date: 8-14-73

Charles W. Westerman
City Clerk

BILL NO. G-73-08-26

GENERAL ORDINANCE NO. G-____

AN ORDINANCE amending the General Ordinance G-97 by authorizing the vacation of an alley and two streets.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a public alley and two public streets by property owners having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on July 23, 1973 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns' Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley and two public streets in Fort Wayne, Allen County, Indiana, to-wit:

Those portions of Lumbard Street and Sidney Street and that particular alley that parallels said street and is located equal distant between them which lie between East Washington Blvd. on the North and Jefferds Avenue on the South.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilman

Read the first time in full and on motion by V. Schmidt, seconded by Talarico,and duly adopted, read the second time by title and referred to the Committee on Regulations.

Date: 8-14-73

Charles W. Westerman
City Clerk

BILL NO. G-73-08-27

GENERAL ORDINANCE NO. G-_____

AN ORDINANCE amending General Ordinance G-97 by authorizing the vacation of an alley north of Creighton Avenue.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a public alley by the Fort Wayne Redevelopment Commission having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on July 23, 1973 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns' Ind. Stat., Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

The first east-west alley north of Creighton Avenue. Beginning at the East line of Bowser Avenue, continuing east to the West line of Holton Avenue.

SECTION 2. After passage of this ORdinance, approval by the Mayor, and legal publication, a duly certified copy of this ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilman

Read the first time in full and on motion by V. Schmidt, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations.

Date: 8-14-73

Charles W. Westerman
City Clerk

BILL NO. G-73-08-28

GENERAL ORDINANCE NO. G-_____

AN ORDINANCE amending certain sections of Chapter 31 of the 1946 Municipal Code of the City of Fort Wayne, Indiana, as

amended by General ORdinance No. 2726, adopted December 22, 1953.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Schedule 1A, Section 21 (b) as referred to "Authorization of Traffic Signals", by adding thereto the following:

TRAFFIC SIGNAL (INSTALLATION PENDING COUNCIL APPROVAL)

St. Joe Road at Indiana-Purdue University Regional Campus Entrance. Wallace Street at Hanna Street.

SECTION 2. That Schedule 3, Section 170 "One Way Streets and Alleys", by adding thereto to sub-paragraph (a) "Streets" thereof the following:

ONE WAY STREET

Barthold Street --northbound-- from High Street to Spring Street

SECTION 3. That Schedule 4, Section 171 "Through Streets", by adding thereto the following:

STREET	FROM	TO
Kentucky Avenue	State Blvd.	Vance Ave., except at State Blvd. and VanceAve.

SECTION 4. That Schedule 5, Section 172 "Intersections Where Stop Required", by adding thereto the following:

STOP INTERSECTION

Irene Ave.	--Stop--	at Hensch St.
Concordia Dr.	--Stop--	at Colony Dr.
Maple Grove Ave.	--Stop--	at Gaywood Dr.
Capitol Ave.	--Stop--	at Gaywood Dr.
Taber St.	--Stop--	at Webster St.
Weisser Park Ave.	--Stop--	at Eckart St.
Columbia Ave.	--Stop--	at Inwood Dr.
Dunnwood Dr.	--Stop--	at Spy Run Extended
White Ave.	--Stop--	at Maumee Ave.
Boone St.	--Stop--	at Mechanic St.
Glenwood Ave.	--Stop--	at Beacon St.
Jessie Ave.	--Stop--	at Archer Ave.
Plaza Dr.	--Stop--	at Pettit Ave.
Standish Dr.	--Stop--	at Pettit AVe.

SECTION 5. That Schedule 7, Section 174 "Parking Prohibited at All Times on Certain Streets" by adding thereto the following:

STREET	SIDE	FROM	TO
Berry Street	north	Hanover Street	175' E. thereof
Berry Street	north	225 ft. E/Hanover	Anthony Blvd.
State Blvd.	south	Penn Central RR	200' w/thereof
Commercial Rd.	north	Bluffton Rd.	western terminus
Ridgewood Dr.	south	Parnell Ave.	365 ft. west thereof
South Wayne Ave.	east	Wildwood Ave.	210 ft. south thereof
Murray St.	north	Calhoun St.	Clinton St.
Baals Dr.	east	Coliseum Blvd.	945 ft. south thereof including Park Service Drive
Trail "F" (City Utilities Park)	south	Baals Dr.	650 ft. west thereof
Hazelwood Ave.	north	Oak Grove Ave.	Leroy Ave.
Bevel AVe.	both	Taylor St.	200 ft. south thereof
Pontiac St.	south	Fruehauf Dr.	185 ft. west thereof
Creighton Ave.	south	Bowser Ave.	Holton Ave.
Bowser Ave.	both	Creighton Ave.	Hurd St.
Barr St.	west	390 ft. north/ Duck St.	340 north thereof
Hanover St.	east	alley south/ Berry St.	north to N & W RR
Bevel Ave.	both	Tayor St.	Brown St.
Eckart St.	north	Bowser Ave.	Robinwood Dr.
Rolston St.	west	Hazelwood Ave.	525 ft. north thereof

SECTION 6. That Schedule 8, Section 175 "Parking Prohibited During Certain hours on Certain Streets", by adding thereto the following:

NO PARKING 6:00 A.M. - 9:00 A.M.

STREET	SIDE	FROM	TO
Calhoun St.	east	Penn Central RR	Pontiac St.

NO PARKING 3:00 P.M. - 6:00 P.M.

STREET	SIDE	FROM	TO
Calhoun St.	west	Penn Central RR	Pontiac St.
Harrison St.	west	Lewis St.	Brackenridge St.

SECTION 7. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor, and legal publication thereof.

Vivian G. Schmidt
Councilman

Read the first time in full and on motion by V. Schmidt, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations.

Date: 8-14-73

Charles W. Westerman
City Clerk

BILL NO. S-73-08-02

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving an agreement with AMERICAN THREAD COMPANY for fire protection on American Way.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement approved June 1, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Commissioners, Department of Public Safety and AMERICAN THREAD COMPANY, for fire protections on 2425 American Way, Allen County, Indiana for a total revenue of approximately $1800.00 received by the City, all as more particularly set forth in said contract, which is on file in the office of the Department of Public Safety, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the first time in full and on motion by Hinga, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Finance.

Date: 8-14-73

Charles W. Westerman
City Clerk

BILL NO. R-73-08-05

RESOLUTION NO. R-45-73

A RESOLUTION transferring certain funds from Account No. 74-213 Travel to Account No. 74-121 Salaries-Temporary in the Budget of the Board of Safety.

WHEREAS, there are insufficient funds in Account No. 74-121 Salaries-Temporary to employ a Certified Diving Instructor to train members of Fort Wayne Fire Department; and,

WHEREAS, there are sufficient funds in Account No. 74-213 Travel to meet expenditures in 1973.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of $550.00 is hereby transferred from Account No. 74-213 Travel to Account No. 74-121 Salaries-Temporary in the Budget of the Board of Safety.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D. Schmidt

Date: 8-14-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-45-73 on the 14th day of August, 1973.

ATTEST (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'Clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-08-06

RESOLUTION NO. R-46-73

A RESOLUTION authorizing payment for repairs to Police Department Squad Car No. 11.

WHEREAS, Police Department Squad Car No. 11 was damaged in an accident by John J. Bopp on May 22, 1973 at intersection of Paulding and Hanna Streets; and,

WHEREAS, settlement in the amount of $76.50 was made by Northern Indiana Public Service Company, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of $76.50, which sum is the reasonable value of said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of $76.50 to Jim Kelley Buick for repairs to said Police Department Squad Car No. 11.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D. Schmidt

Date: 8-14-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, Resolution No. R-46-73 on the 14th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-08-07

RESOLUTION NO. R-47-73

A RESOLUTION authorizing payment for repairs to Police Department Squad Car No. 21.

WHEREAS, Police Department Squad Car No. 21 was damaged in an accident by Lynn A. Stroble on March 14, 1973 at the corner of Anthony and Pettit; and

WHEREAS, settlement in the amount of $90.87 was made by Economy Fire &

Casualty Company, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of $90.87, which sum is the reasonable value of said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of $90.87 to Jim Kelley Buick for repairs to said Police Department Squad Car No. 21.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D. Schmidt

Date: 8-14-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-47-73 on the 14th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-08-08

RESOLUTION NO. R-48-73

A RESOLUTION authorizing payment for repairs to Police Department Squad Car No. 68.

WHEREAS, Police Department Squad Car No. 68 was damaged in an accident by Ronald E. Van Hoozen, on March 23, 1973 at 8107 Aboite Center Road; and

WHEREAS, settlement in the amount of $266.88 was made by Farm Bureau Insurance Company, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of $266.88, which sum is the reasonable value of said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of $266.88 to Jim Kelley Buick for repairs to said Police Department Squad Car No. 68.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D. Schmidt

Date: 8-14-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-48-73 on the 14th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M.,E.S.T.

Ivan A. Lebamoff

BILL NO. R-73-08-09

RESOLUTION NO. R-49-73

A RESOLUTION authorizing payment for repairs to Police Department Squad Car No. 51.

WHEREAS, Police Department Squad Car No. 51 was damaged in an accident by Vickie W. Fagen at the corner of Fairfield and West Foster Parkway on May 28, 1973; and

WHEREAS, settlement in the amount of $305.62 was made by Carole D. Fagen, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of $305.62, which sum is the reasonable value of said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of $305.62 to Jim Kelley Buick for repairs to said Police Department Squad Car No. 51.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D. Schmidt

Date: 8-14-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-49-73 on the 14th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-08-10

RESOLUTION NO. R- 50-73

A RESOLUTION authorizing payment for repairs to Police Department Squad Car No. 3.

WHEREAS, Police Department Squad Car No. 3 was damaged in an accident March 20, 1973; and

WHEREAS, settlement in the amount of $22.08 was made by Immanual Baptist Church, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of $22.08, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of $22.08 to Jim Kelley Buick for repairs to said Police Department Squad CAr No. 3.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D. Schmidt

Date: 8-14-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-50-73 on the 14th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-08-11

RESOLUTION NO. R-51-73

A RESOLUTION transferring certain funds from Account No. 63-242 Publication of legal notices to Account No. 63-725 Office Equipment in the 1973 Budget of the Purchasing Department.

WHEREAS, there are insufficient funds in Account No. 63-725 Office Equipment for the purchase of an electric typewriter; and

WHEREAS, there are sufficient funds in Account No. 63-242 Publication of Legal Notices to meet actual expenditures in 1973.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of $600.00 is hereby transferred from Account No. 63-725 Publication of Legal Notices to Account No. 63-242 Office Equipment.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D. Schmidt

Date: 8-14-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-51-73 on the 14th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1973, at the hour of 9L00 o'clock A.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-08-12

RESOLUTION NO. R-52-73

A RESOLUTION transferring certain funds from Account No. 77-2-261 Services Contractural in the 1973 Budget of Traffic Engineering.

WHEREAS, there are insufficient funds in Account No. 77-4-44 Materials to meet the actual expenditures of 1973;

WHEREAS, there are sufficient funds in Account No. 77-2-261, Services Contractural to meet the actual expenses of 1973.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby tranferred from the following account:

Account No. 77-2-261 Services Contractural $20,000.00

to

Account No. 77-4-44 Materials

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D. Schmidt

Date: 8-14-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-52-73 on the 14th day of August, 1973.

ATTEST: (SEAL)
Winfield C. Moses, Jr.
Presiding Officer

Charles W. Westerman
City Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-08-13

RESOLUTION NO. R-53-73

A RESOLUTION authorizing payment for repairs to Police Department Squad Car No. 72.

WHEREAS, Police Department Squad Car No. 72 was damaged in an accident by William D. Abernathy on March 24, 1973 at the intersection of Clinton and Rudisill; and

WHEREAS, settlement in the amount of $253.05 was made by William D. Abernathy, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of $253.05, which sum is the reasonable value of said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of $253.05 to Jim Kelley Buick for repairs to said Police Department Squad Car No. 72.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D. Schmidt

Date: 8-14-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-53-73 on the 14th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-08-14

RESOLUTION NO. R-54-73

A RESOLUTION authorizing payment for repairs to Police Department Squad Car No. 85.

WHEREAS, Police Department Squad Car No. 2 was damaged in an accident on April 23, 1973 at Calhoun and Superior Streets; and

WHEREAS, settlement in the amount of $224.25 was made by Shelby Mutual Insurance Company, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of $105.25, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of $105.25 to Jim Kelley Buick for repairs to said Police Department Squad Car # 85.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D. Schmidt

Date: 8-14-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-54-73 on the 14th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City CLerk

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-08-15

RESOLUTION NO. R-55-73

A RESOLUTION authorizing payment for repairs to Board of Safety's Vehicle No. 64.

WHEREAS, Board of Safety Vehicle No. 64 was damaged in an accident by Fanning Personnel on June 3, 1973 at intersection of Pettit and Anthony; and

WHEREAS, settlement in the amount of $359.49 was made by State Farm Insurance Company, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of $359.49, which sum is the reasonable value of said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of $359.49 to Jim Kelley Buick for repairs to said Board of Safety Vehicle No. 64.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D. Schmidt

Date: 8-14-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-55-73 on the 14th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, JR.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-08-16

RESOLUTION NO. R-56-73

A RESOLUTION authorized payment for repairs to Police Motorcycle.

WHEREAS, Police Department Motorcycle was damaged in an accident by James R. Trammel on May 16, 1973; and

WHEREAS, settlement in the amount of $259.30 was made by James R. Trammel, which money was receipted into the General Fund; and

WHEREAS, Griffith Harley Davidson has submitted an estimate in the amount of $259.30, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of $259.30 to Griffith Harley Davidson for repairs to said Police Department motorcycle.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D. Schmidt

Date: 8-14-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-56-73 on the 14th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A. M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-08-17

RESOLUTION NO. R-57-73

A RESOLUTION authorizing payment for repairs to Parking Administration's vehicle.

WHEREAS, a Parking Administration's vehicle was damaged in an accident by Eddie Curry on April 10, 1973 in the parking lot at City-County Building; and

WHEREAS, settlement in the amount of $108.00 was made by American Underwriters Group, which money was receipted into the General Fund; and

WHEREAS, City Utilities Garage has submitted an estimate in the amount of $108.00, which sum is the reasonable value of said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of $108.00 to City Utilities Garage for repairs to said Parking Administration vehicle.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D. Schmidt

Date: 8-14-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-57-73 on the 14th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-08-18

RESOLUTION NO. R-58-73

A RESOLUTION authorizing payment for repairs to Police Department Squad Car No. 24.

WHEREAS, Police Department Squad Car No. 24 was damaged in an accident on April 28, 1973; and

WHEREAS, settlement in the amount of $274.20 was made by Kathleen C. O'Dowd, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of $274.20, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of $274.20 to Jim Kelley Buick for repairs to said Police Department Squad Car No. 24.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D. Schmidt

Date: 8-14-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-58-73 on the 14th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-08-19

RESOLUTION NO. R-LOST

A RESOLUTION transferring certain funds from Account No. 74-726 Other Equipment to Account No. 74-121 Temporary Salaries in the Budget of the Board of Safety.

WHEREAS, there are insufficient funds in Account No. 74-121 Temporary Salaries to pay employees to move shelter supplies from GAskins building, Lutheran Hospital and Lincoln National Bank and Trust; and

WHEREAS, there are sufficient funds in Account No. 74-726 Other Equipment to meet expenditures in 1973.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of $400.00 is hereby transferred from Account No. 74-726 Other Equipment to Account No. 74-121 Salaries Temporary.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Seven
Burns, Hinga, Kraus, Moses, V. Schmidt, Stier, Talarico
Absent: Two
Nuckols, D. Schmidt

Date: 8-14-73

Charles W. Westerman
City Clerk

BILL NO. Z-73-06-14

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. FF1 by locating a Regional Shopping Center Symbol thereon have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
D. J. Schmidt

Concurred in 8-14-73

Charles W. Westerman
City Clerk

BILL NO. Z-73-06-15

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. BB4 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
D. J. Schmidt

Concurred in 8-14-73

Charles W. Westerman
City Clerk

BILL NO. R-73-07-16

RESOLUTION NO. R-44-73

A RESOLUTION concerning programs and services to relieve police and law enforcement agencies from the burdens of dealing with arrests in the Fort Wayne area for public intoxication unconnected with any crime.

WHEREAS, there is a need for a program for the non-medical detoxication and rehabilitation of intoxicated persons in the Fort Wayne area.

WHEREAS, there is a need for a facility and program which would further the concept of treatment of public intoxication offenders as persons suffering from an illness with a potential for rehabilitation through counseling and referral to appropriate community agencies for assistance with individual problems.

WHEREAS, there is also a need for a residential treatment and rehabilitation facility to follow up on such persons at the time of leaving the sobering-up facility.

WHEREAS, there is no existing facility at present in the Fort Wayne area for such a detoxication and rehabilitation program.

NOW,THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the Common Council of the City of Fort Wayne favors the establishment of a facility and service which would provide the following:

a. Alleviation by police and other law enforcement agencies of arrests for public intoxication not connected with any crime.

b. Detoxication and rehabilitation for the public intoxication offender.

John Nuckols
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Kraus, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D. Schmidt

Date: 8-14-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-44-73 on the 14th day of August, 1973.

ATTEST: (SEAL)

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-08-35

RESOLUTION NO. R-59-73

A RESOLUTION DECLARING THAT NO DRIVEWAY PERMIT SHOULD BE GRANTED FOR ACCESS ON JEFFERSON STREET, FORT WAYNE, INDIANA, INCIDENT TO SHELL OIL CO. OPERATION AT THE SOUTHWEST CORNER OF JEFFERSON AND HARRISON STREETS IN THE CITY OF FORT WAYNE, INDIANA.

WHEREAS, Shell Oil Co. has requested from the Indiana State Highway Department permission for a driveway cut on the south side of Jefferson Street immediately west of its intersection with Harrison Street in the City of Fort Wayne, Indiana, which driveway cut would be used for ingress and egress of a gasoline dispensing station and other incidental use at said site; and

WHEREAS, the above location on Jefferson Street is adjacent to a street with high volume traffic movement and the proposed driveway cut, if granted, would not be compatible with existing road conditions and would create conflict with the internal traffic pattern established on said street; and

WHEREAS, the proposed location of the above gasoline dispensing station and incidental services is located at a high frequencey accident location as a result of excessive congestion in the area caused by business and traffic; and

WHEREAS, the Transportation Technical Committee of the Three Rivers Coordinating Council on September 12, 1972 recommended that the Shell Oil Co. application for driveway cut be denied; and

WHEREAS, theretofore on February 7, 1973 the driveway permit Engineer of the Indiana State Highway Commission denied such application; and

WHEREAS, on August 2, 1973 the Site Plan and Driveway Sub-Committee of the Transportation Technical Committee of the Three Rivers Coordinating Council again recommended that said application for driveway cut at said location be denied; and

WHEREAS, the District Engineer of the Indiana State Highway Commission on August 6, 1973 stated that the Fort Wayne District of the Indiana State Highway Commission is in agreement with the revised drawing for granting one driveway cut approximately 50 feet south of Jefferson Street on the west side of Harrison Street and eliminating the two driveways on Jefferson Street as originally proposed;

NOW THEREFORE BE IT RESOLVED that no driveway permit should be granted for access on the South side of Jefferson Street, Fort Wayne, Indiana at the location of the site at or near the intersection of Harrison and Jefferson Streets in the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED that a copy of this resolution adopted by the Common Council of the City of Fort Wayne be submitted to the State highway Commission of Indiana and a copy of this Resolution also be submitted to the Building Department of the City of Fort Wayne, INdiana.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Six
Burns, Kraus, Moses, V. Schmidt, Stier, Talarico
Nays: One
Hinga
Absent: Two
Nuckols, D. Schmidt

Date: 8-14-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-59-73 on the 14th day of August, 1973.

ATTEST: (SEAL)

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-73-07-10

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance AMENDING CHAPTER 30 OF THE FORT WAYNE MUNICIPAL CODE BY ADDING THERETO SECTIONS 36, 37, 38,39,40,41,42,43,44,45,46,and 47 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

William T. Hinga
James S. Stier
Samuel J. Talarico
Paul M. Burns

Date Concurred in 8-14-73

Charles W. Westerman
City Clerk

BILL NO. G-73-07-10 (AMENDED)

GENERAL ORDINANCE NO. G-18-73

AN ORDINANCE AMENDING CHAPTER 30 OF THE FORT WAYNE MUNICIPAL CODE BY ADDING THERETO SECTIONS 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46 and 47.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA that Chapter 30 of the Fort Wayne Municipal Code is hereby amended by adding thereto Sections 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46 and 47.

SECTION 36. Amusement Arcades - License required.

No person, firm, partnership or corporation shall keep within the City any amusement arcade unless such person, firm, partnership or corporation shall have

first procured an amusement arcade license as hereinafter provided.

SECTION 37. Amusement Arcades - License required.

"Amusement Arcade" means the operation by any person, firm partnership or coopporation of:

(1) Twenty (20) or more coin operated amusement devices as hereafter defined.

(2) For public use.

(3) Upon premises solely within one enclosure.

SECTION 38. "Coin operated amusement device" means any amusement machine or device which is operated or put into operation in whole or in part by the insertion of a coin, token or similar object. The term does not include coin-operated musical devices, bona fide vending machines in which gaming or amusement features are not incorporated, any gambling device or slot machine. Nothing herein shall be construed to permit the use of any device prohibited by law or the use of any device in any manner prohibited by law.

SECTION 39. Amusement Arcades - License required.

No person, firm, partnership or corporation shall own, operate, or permit operation of an Amusement Arcade on premises owned, leased or operated by him, or engage in the business of operating an Amusement Arcade, in the City unless an annual Amusement Arcade License has been obtained. Such Amusement Arcade License shall be in lieu of any other license required by Sections 18 and 30 of this Chapter. A person, firm, partnership or corporation licensed as an Amusement arcade is exempt from all other licensing requirements of this Chapter.

SECTION 40. Amusement Arcades - License Required - Application - License fee.

Such Amusement Arcade licenses shall be obtained upon application to the City Controller and the payment of an annual license fee of $200.00 for each Amusement Arcade. Such fee shall be in lieu of any other fee required by Sections 20 and 31 of this Chapter.

Amusement Arcade licenses shall cover an annual period from January 1st through December 31st for each calendar year hereafter; provided, however, that all Amusement licenses obtained between August 21, 1973 and December 31, 1973 in addition to covering the period from the granting of the license in the year 1973 to the end of said year 1973 shall cover also the calendar year 1974. From and after January 1, 1974 each Amusement license, no matter when obtained during said calendar year 1974 and thereafter, shall cover only the unexpired portion of the calendar year in which the annual calendar year Amusement Arcade license in obtained.

The application must be signed and sworn to by the applicant in the case of of a sole proprietorship. In case the applicant is a partnership, all partners must sign and verify the application. In case the applicant is a corporation, all officers must sign and verify the application and indicate their official position. The information required in the application form must be furnished as to each person signing the application. Each application shall be accompanied by the required licensing fee and shall contain the following information:

(a) The applicant's full name.

(b) The applicant's residence address.

(c) The applicant's business address.

(d) The address of the proposed amusement arcade.

(e) The name and address of every person who has any interest in the Amusement Arcade, and the nature of that interest.

(f) Whether or not the applicant has been convicted of any felony, or of pandering, gambling, operation of a gambling device, operating of a gaming house or being a keeper of a house of ill-fame, or any other misdemeanor.

(g) Whether or not the applicant is at the time of making the application keeping or in any way connected with a gaming house or a house of ill-fame.

(h) Whether or not the applicant or his or her spouse, or any member of the applicant's household is a member or employee of the Police Department of the City of Fort Wayne, whether or not any member or employee of the Police Department of the City of Fort Wayne is interested in any way, either directly or indirectly, in the license applied for, the devices, or the operation of the same; and whether or not the applicant has received or borrowed money or anything else of value or accepted credit from any member or employee of said Police Department, or the spouse of any member of the household of any such member or employee.

(i) A statement that the applicant, if requested by the Mayor, will permit a record of his fingerprints to be made by the Police Department of the City of Fort Wayne for the purpose of additional investigation to determine whether or not the application should be granted.

SECTION 41. Amusement Arcades - License required - Inspections; Issuance of License

Upon receipt of the application and the fee, the Controller shall refer the application to the Police Department of the City, which shall cause the Arcade to be inspected promptly and report to the City Controller whether the coin operated amusement device, or devices, in the Arcade are equipped for operation or are actually operated in violation of the law of the State. If the Police Department finds that the coin operated amusement devices in the Arcade are not so equipped or operated, the inspecting officer shall place a sticker on each machine showing the date of inspection and so report to the City Controller. The Controller shall then issue a license for the Arcade, and the number of the license shall be placed on the sticker on each coin

operated amusement device in the Arcade.

The Police Department shall make at least one additional inspection of each coin operated amusement device in the Arcade during the license year to determine whether the machines are operated or equipped for operation in violation of the law of the State, and may make additional inspections at any time. The date of each inspection shall be shown on the sticker of each machine.

SECTION 42. Amusement Arcades - Change of Location.

If any coin operated amusement device is moved from the Arcade, the new location shall be reported promptly to the Police Department, and if not so reported, the Amusement Arcade License shall be automatically revoked without notice of further action. No license shall be valid except for the location shown in the application or in such change of location.

If any coin operated amusement device is moved from a different location to the Arcade, the Arcade licensee shall notify the Police Department of the City, which shall cause the new machines to be inspected promptly and report to the City Controller whether the coin operated amusement device in the Arcade is equipped for operation or is actually operated in violation of law. If the Police Department finds that the coin operated amusement device in the Arcade is not so equipped or operated, the inspecting Officer shall place a sticker on that machine, bearing the number of the Arcade License, showing the date of inspection and so report to the City Controller.

SECTION 43. Amusement Arcades - Restrictions.

A. No coin-operated amusement device or coin-operated musical device shall be operated within an amusement arcade so as to constitute a public nuisance.

B. An Amusement Arcade License shall not be issued to any person who has been convicted of conducting gambling activities or to any corporation or partnership a member or principal shareholder of which has been convicted of conducting gambling activities or to any corporation or partnership a member or principal shareholder of which has been convicted of conducting gambling activities. No gambling activities shall be conducted on the premises of Amusement Arcades licensed under this Chapter.

C. There shall be provided a full time attendant upon the premises of an Amusement Arcade during the normal business hours.

D. It shall be unlawful for any person, firm, partnership or corporation engaged in the business of operating an Amusement Arcade to sell, offer for sale, or knowingly permit to be sold or offered for sale or to be dispensed or consumed or brought on the premises any alcoholic beverages.

E. Every Amusement Arcade licensed under this Chapter shall have affixed on its premises in plain view a decalcomania evidencing the issuance of its license.

F. The license required and described in this Section shall be purely a personal privilege and shall not constitute property. It is not transferable in any manner.

SECTION 44. Amusement Arcades - Penalties.

Any person, firm, partnership or corporation operating an Amusement Arcade shall be subject to a fine of not less than Ten Dollars ($10.00) nor more than Two Hundred Dollars ($200,00) for every violation of this Chapter. A licensee who has committed three (3) or more violations of this Chapter may, upon ten (10) days written notice to licensee, have its license revoked.

SECTION 45. If any part, parts, section, sections, provision, clause or portion of this ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this ordinance as a whole or of any other part, section, clause, provision, or portion of this ordinance.

SECTION 46. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D. Schmidt

Date: 8-14-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-18-73 on the 14th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 22nd day of August, 1973, at the hour of 4:00 o'clock P.M.,E.S.T.

Ivan A. Lebamoff
Mayor

Bill No. Z-73-05-04

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom as referred an Ordinance amending the City of Fort Wayne Zoning Map No. B4, B6, C4, C6 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

Vivian G. Schmidt
William T. Hinga
Paul M. Burns

Concurred in 8-14-73

Charles W. Westerman
City Clerk

BILL NO. Z-73-05-04

ZONING ORDINANCE NO. Z-10-73

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B4, B6, C4, C6.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. B4, B6, C4, C6 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot No. 31 in Drexel Park Addition

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D. Schmidt

Date: 8-14-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-10-73 on the 14th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 22nd day of August, 1973, at the hour of 4:00 o'clock P.M.,E.S.T.

Ivan A. Lebamoff
Mayor

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 14th day of August, 1973; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 14th day of August, 1973.

Charles W. Westerman
City Clerk

SEAL

Minutes approved and signed in open Council this 28th day of August, 1973.

City Clerk

Presiding Officer